

ok
January 18, 2008

Abraham Martin
87158-022
Federal Prison Camp
3705 West Farm Road
Lompoc, CA 93436

RECEIVED
CLERK U.S. DISTRICT COURT

Clerk
U.S. District Court
District of Hawaii
300 Ala Moana Blvd., Suite C-338
Honolulu, HI 96850-0338

JAN 25 2008

DISTRICT OF HAWAII

RE: Status of "Certificate of Record" Ninth Circuit No. 07-16756
CV 06-00629 DAE-LEK/ CR 04-00322 DAE

Dear Clerk:

Since the request for transcripts, I have received a copy of transcript from Ms. Cynthia Fazio (sentencing hearing), and none from either Ms. Laura Savo (Secre Indictment) and Mr. Philip Rosenberg (Superseding Indictment). These two transcripts are vital to my allegations that the jury instructions are maliciously erroneous, and that the prosecutor was just a prevaricator, in his vindictive, evil and unjudicial prosecution and conviction.

Since these transcripts are vital to the proving of my allegations **are true**, in my appeal to Ninth Circuit, they must be provided to me to prevent **miscarriage of justice**. Denying me these transcripts is just like denying me a **constitutional right**.

With your advise in your last letter to me regarding "Staement of Reasons", I did write to the U.S. Attorney's office but no reply to date. Ms. Ellie Asasaki wrote me an answer instead, without sending me the document, as mandated by 18 U.S.C. § 3553(c), telling me to ask the BOP for viewing the document. She evidently does not know anything about how the BOP operates in here. All my legal mail has been opened, **not in my presence** as required by law, and read before I am called to receive it. What I can do in jail? Practically nothing. We do not seem to have any constitutional right at all. I have read quite a few "Statement of Reasons" from inmates who come to me for legal assistance, one of these is from Hawaii, John Cerizo, under Judge Susan Mollway, my judge in 1999. What about sending the two "Statement of Reasons" for the two sentences (04-00322/05-00049 DAE) to my home, 4580 Kilauea Avenue, Honolulu, HI 96816 ? If possible that will be best, or else I shall have to file a motion for them.

Awaiting your reply ASAP, and thank you very much for all your kind "kokua" in my appeal of the "miscarriage of justice" impsoed upon me by the system.

Sincerely,

Abraham Martin

cc: letters to court reporters

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CA 93141 T
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